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REMARKS

Applicants respectfully traverse the claim rejections and ask for reconsideration as follows. Claim 1 has been amended to reflect the fundamental difference between the Morito reference and the claimed method: There is no "pre-recorded content" in Morito that anyone would be interested in copying. In contrast, Applicants disk has both a read-only portion and a writeable portion. Suppose a hacker has a first disk in which the read-only portion includes pre-recorded content (e.g., a video or audio recording) that a hacker may want to have unauthorized access to. So, what would the hacker do? If the hacker is given a second disk also having a read-only portion and a writeable portion, the only portion the hacker can write the pre-recorded content from the first disk is to the writeable portion of the second disk. But note: the mere fact that the pre-recorded material has been written to the writeable portion flags the unauthorized use. All a disk drive need do is to detect a pre-recorded identifier in the writeable portion to know that the copy is unauthorized.

In sharp contrast, a Morito disk drive must not only detect the pre-recorded identifier in the writeable (Sp) but also compare it to the bar code identifier (Sd) already on the disk. Only if Sp does not equal Sd does Morito declare an unauthorized action. (see, e.g., step 14 of Morito's Figure 7 and Col. 6, lines 1-14).

Morito neither teaches nor suggests a method in which the mere presence of a pre-recorded identifier in the writeable portion proves an unauthorized action because there is no "pre-recorded content" in Morito as would be understood by those of ordinary skill in the art. Instead, pre-recorded content refers to content mastered onto the disk during the manufacture. The familiar DVD disks have such pre-recorded content mastered onto

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them. In sharp contrast, Morito has only a laser-scribed bar code. That is not pre-recorded "content." Instead, it is merely a disk identifier. Thus, whether it is also located in the writeable portion gives a Morito disk drive no cause to detect an unauthorized action. Only by further comparing it to the actual disk identifier does Morito detect an unauthorized action. So, the Applicants' method is triggered by the mere presence of the pre-recorded identifier whereas the Morito method is triggered by the identity of the pre-recorded identifier. Accordingly, claim 1 and its dependent claims are plainly allowable over the Morito reference. Claim 15 has been amended analogously as discussed with regard to claim 1 and is thus allowable for analogous reasons over the Morito reference. Claim 22 has been amended analogously and is thus also allowable for analogous reason over the Morito reference.

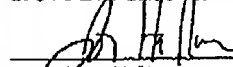
### CONCLUSION

For the foregoing reasons, pending claims 1, 2, 3, 9, 15, 17, 18, 21, and 22 are in condition for allowance.

If there are any questions regarding any aspect of the application, please call the undersigned at 949-752-7040.

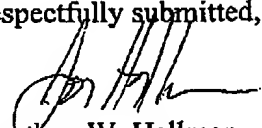
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September 20, 2006  
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